

SCHEDULE 2

Paragraph 7(c)

Form 40.10

Rule 40.10(1)

Form of note of objection to competency of appeal from inferior court

(Cause Reference number)

IN THE COURT OF SESSION

NOTE OF OBJECTION TO COMPETENCY OF APPEAL

[A.B.]

Appellant

against

[C.D.]

Respondent

To the Deputy Principal Clerk of Session

(Name of appellant), appellant has marked an appeal from an inferior court in the above cause.
(Name of objecting party), respondent, objects to the competency of the appeal on the following grounds:

(set out the grounds in brief numbered paragraphs)

Date *(insert date)*

(Signed)

Solicitor for Respondent

(Address)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form 40.11

Rule 40.11(1)(a)

Form of timetable in appeal from inferior court

(Cause Reference number)

IN THE COURT OF SESSION

TIMETABLE IN APPEAL

[A.B.]

Appellant

against

[C.D.]

Respondent

This timetable has effect as if it were an interlocutor of the court signed by the procedural judge. [*Where applicable:* This is a revised timetable issued under rule 40.12(4)(c) [*or* rule 40.12(5)(b)] which replaces the timetable issued on (*date*).]

1. The diet for a procedural hearing in relation to this appeal, which will follow on from the procedural steps listed in paragraphs 2 to 10 below, will take place on (*date and time*).
2. The appellant shall lodge a process under rule 40.7(2)(a) not later than (*date*).
3. The appellant shall send copies of the appeal print under rule 40.7(2)(b) not later than (*date*).
4. Any motion by the appellant to sist the process of the appeal under rule 40.8(1) shall be lodged not later than (*date*).
5. Grounds of appeal under rule 40.18(1) shall be lodged not later than (*date*).
6. Any answers to grounds of appeal lodged under rule 40.18(1) shall be lodged not later than (*date*).
7. Subject to the terms of any order made by a procedural judge under rule 40.19(2), any appendices to the appeal print shall be lodged not later than (*date*).
8. Any written intimation by the appellant under rule 40.19(1) that he does not intend to lodge any appendices to the appeal print shall be provided by (*date*).
9. Not later than (*date*) parties shall lodge notes of argument in the appeal.
10. Not later than (*date*) parties shall lodge estimates of the length of any hearing on the Summar Roll or in the Single Bills which is required to dispose of the appeal.

(*Date*)

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Form 40.15

Rule 40.15(5)(a)

Form of certification by Deputy Principal Clerk on retransmitting abandoned appeal

(Date) Retransmitted in respect of the abandonment of the appeal.

(Signed)

Deputy Principal Clerk of Session